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Hearing Date: **March 13, 2024, at
11:00 am in Courtroom 4, United
States Bankruptcy Court, 900
Market Street, Philadelphia, PA
19107**

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE:	Chapter 13 Proceeding
Vaneese Marie Walker	
	22-13128 AMC
Debtor(s)	

**MOTION OF CITIZENS BANK, N.A. F/K/A RBS CITIZENS, N.A. FOR RELIEF FROM
THE AUTOMATIC STAY**

AND NOW, comes secured Creditor, Citizens Bank, N.A., f/k/a RBS Citizens, N.A. (Movant) by and through its counsel, Mary F. Kennedy, and files this Motion to obtain an order for Relief from the Automatic Stay due to debtor(s) failure to provide Movant with adequate protection of its interest in the property which is the basis of the creditor's security.

1. On or about November 22, 2022, Debtor(s) filed a Chapter 13 Bankruptcy Petition.
2. On November 15, 2013, the debtor executed a Note in the amount of \$142,373.00.

The Note was secured by a mortgage to Mortgage Electronic Registration Systems, Inc. as nominee for RBS Citizens, N.A. in the amount of \$142,373.00 and secured by the property located at 7337 N. 19th Street, Philadelphia, PA 19126, referred to as the "property." The mortgage was recorded in the Office of the Recorder of Deeds in Philadelphia County on November 21, 2013 at document id: 52722605. Said mortgage was assigned to movant via an Assignment of Mortgage recorded on December 1, 2022 at document id: 54126330 in the Office of the Recorder of Deeds in Philadelphia County. (See Exhibit "A" attached).

3. The debtor is presently in arrears post petition for (2) two months, January 1, 2024 and February 1, 2024. The total arrears including \$1,249.00 for attorney fees and costs is \$3682.64.
4. Movant wishes to have the automatic stay terminated to permit Movant to complete foreclosure on its mortgage.
5. Pursuant to 11 U.S.C.A. section 362 (d) (1), cause exists to grant Movant relief from the stay.
6. Movant requests that if relief from the stay is granted that Federal Rule of Bankruptcy Procedure 3002.1 be waived.

WHEREFORE, Movant respectfully requests this Honorable Court ORDER:

That Relief from the Automatic Stay be granted to Citizens Bank, N.A., f/k/a RBS Citiznes, N.A. to proceed with foreclosure action to obtain all other Relief available under Non-Bankruptcy Law. That the relief granted by the Court will survive the conversion of this bankruptcy case to a case under any other Chapter of the Bankruptcy Code. And that bankruptcy Rule 4001(a)(3) is not applicable and Movant is allowed to immediately proceed with foreclosure and all other relief available under the Non Bankruptcy law. That Federal Rule of Bankruptcy Procedure 3002.1 is no longer applicable. Furthermore, Movant respectfully requests that reasonable attorney fees and costs associated with this Motion be awarded to Movant

RESPECTFULLY SUBMITTED,

/s/ MARY F. KENNEDY, ESQ.

Dated: February 21, 2024